



A Tradition of Stewardship  
A Commitment to Service

MINUTES OF THE  
NAPA COUNTY - BOARD OF SUPERVISORS MEETING  
COUNTY OF NAPA

December 16, 2014

Draft Summary of the Proceedings

1. CALL TO ORDER; ROLL CALL

**The Board of Supervisors of the County of Napa met in regular session on Tuesday, December 16, 2014, at 9:00 a.m. with the following supervisors present: Chairman Mark Luce, Supervisors Brad Wagenknecht, Diane Dillon and Keith Caldwell. District 4 is vacant. The meeting was called to order by Chairman Mark Luce.**

2. PLEDGE OF ALLEGIANCE

**Chairman Mark Luce led the assembly in the pledge of allegiance.**

3. APPROVAL OF MINUTES

**None.**

4. PRESENTATIONS AND COMMENDATIONS

A. Presentation of a Retirement Proclamation to Eric Swan, Staff Services Analyst II, in recognition of 16 years of service.

**Presented proclamation.**

5. DEPARTMENT HEADS REPORTS AND ANNOUNCEMENTS

**Director of Public Works Steve Lederer announced the Animal Shelter reached 1,000 adoptions this year and \$30,000 in donations.**

**Director of Planning, Building and Environmental Services David Morrison thanked Human Resources staff for recent staff recruitments.**

6. CONSENT ITEMS

Public Safety

A. Director of Corrections recommends approval of and authorization for the Chairman to sign an agreement with Solano County for a maximum annual amount of \$2,400,000 for the term of January 1, 2015 through December 31, 2017 to transfer the physical custody of up to 75 inmates to Solano County to mitigate the loss of Napa County Jail bed capacity due to damage sustained as a result of the 2014

South Napa Earthquake and to provide the necessary jail housing vacancies to perform vital capital projects throughout the jail.

**A-8244**

- B. Sheriff requests the following actions related to the purchase of a Prisoner Transport Vehicle:
1. A waiver of competitive bidding requirements and sole source award to Braun Northwest, Inc., Chehalis, WA, for the purchase of a Prisoner Transport Vehicle for a total of \$193,983 pursuant to County Ordinance Code 2.36.090; and
  2. Establishment of a fixed asset in the 2014 Earthquake budget in the amount of \$193,983 for the sole source purchase of the vehicle. (4/5 vote required)
- C. Sheriff requests the following actions related to the purchase of Civil Process software system:
1. Approval of Budget Transfer No. SHE006 appropriating \$81,250 in the Sheriff's Department budget offset by a reduction in the Civil Equipment Special Revenue Fund's Designation for Future needs and establishment of a capital asset in the amount of \$81,250 (4/5 vote required);
  2. A waiver of competitive bidding requirements and sole source award to Tyler Technologies, Inc. pursuant to Napa County Code Section 2.36.090; and
  3. Approval of and authorization for the Chairman to sign an agreement with Tyler Technologies, Inc. for \$81,250 for the purchase.

**BT-SHE006; A-8245**

#### Human Services

- D. Director of Health and Human Services requests approval of and authorization for the Chairman to sign the renewal of Revenue Agreement No. 8023 with the City of Napa for a maximum of \$54,405 for the term January 1, 2015 through December 31, 2015 for reimbursement for social workers to provide additional outreach and services to children who have been exposed to domestic violence incidents.
- A-8023**
- E. Director of Health and Human Services requests approval of and authorization for the Chairman to sign an agreement with the California Institute for Behavioral Health Solutions, Inc., for a maximum of \$20,000 for the term December 16, 2014 through June 30, 2015 to provide technical assistance to develop a Behavioral Health Component Plan of the Live Healthy Napa County Community Health Improvement Plan.
- A-8246**
- F. Director of Health and Human Services and County Counsel request approval of Version 11 of the General Terms and Conditions, the County's general contractual terms, applicable to the Health and Human Services Agency's contracts for professional services.
- G. Director of Health and Human Services requests approval of Budget Transfer No. HHS002 appropriating \$750,000 in the Health Care Enhancement Program budget with a corresponding cancellation of a portion of the designation within the Health Care Enhancement Program account. (4/5 vote required)

**BT-HHS002**

- H. Director of Health and Human Services request acceptance of an anonymous donation in the amount of \$2,000 in Wal-Mart gift cards received on behalf of clients at Health and Human Services during the holidays.

Community Resources & Infrastructure

- I. Agricultural Commissioner/Sealer of Weights and Measures requests approval of and authorization for the Chairman to sign renewal of Revenue Agreement No. 4168 with the California Department of Food & Agriculture (CDFA) for a maximum of \$80,875 for the term of July 1, 2014 through June 30, 2015 for reimbursement of expenditures associated with placing and inspecting of traps for the detection of exotic pests.
- A-4168**
- J. Agricultural Commissioner/Sealer of Weights and Measures requests approval of and authorization for the Chairman to sign the renewal of Revenue Agreement No. 7065 with the California Department of Food and Agriculture for a maximum of \$8,500 for the term October 1, 2014 through September 30, 2015 for reimbursement of expenditures for activities related to Light Brown Apple Moth exclusion program.
- A-7065**
- K. Director of Planning, Building and Environmental Services requests approval of and authorization for the Chairman to sign an agreement with Analytical Environmental Services (AES) for a maximum \$202,726 for the term December 16, 2014 through June 30, 2015 for purposes of assisting the County in conducting environmental review under the California Environmental Quality Act (CEQA) of an erosion control plan application (P14-00340-ECPA) for the Orin Swift Cellars vineyard project.
- A-8247**
- L. Director of Planning, Building and Environmental Services requests adoption of a resolution amending Resolution No. 2014-109 by extending the expiration date of Earthquake Emergency Permits issued for temporary activities at wineries. ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.
- R-2014-152**
- M. Director of Public Works requests the following actions pertaining to the "Napa River Rutherford Restoration Project, Reaches 5, 6, 7 & 9, Re-Vegetation Contract" PW 14-34:
1. Award the contract to Empire Landscaping of Davis, CA for their low base bid of \$509,167 and authorization for the Chairman to sign the construction contract;
  2. Approval of and authorization for the Chairman to sign Cooperative Agreement No. 04-2546 with California Department of Transportation (CALTRANS) to provide funding to the County in the amount of \$212,270 for providing offsite tree

replacement as part of the revegetation effort to comply with the terms of the approved environmental documents for the replacement of the Troutdale Bridge located on State Route 29; and

3. Approval of Budget Transfer No. DPW004 appropriating \$212,270 in the Public Works Projects Subdivision, Program 13028 budget with offsetting revenues from CALTRANS Cooperative Agreement No. 04-2546 for providing offsite planting services as outlined in item 2 above. (4/5 vote required)

**A-8248; BT-DPW004**

General Admin & Finance

N. Auditor-Controller requests authorization to process, on behalf of the Board of Supervisors, two Assessor Division reductions in assessed value which are in excess of the \$10,000,000 limit set forth in Resolution No. 2013-137 as it pertains to Revenue and Taxation Code 4831.5:

1. APN 020-150-012 in the amount of \$14,167,000 for land and improvements; and
2. APN 024-410-014 in the amount of \$10,699,950 for exemption of personal property.

O. Chief Information Officer requests approval of and authorization for the Chairman to sign Amendment No. 1 to Revenue Agreement No. 7803 with Napa County Resource Conservation District (RCD) increasing the amount by \$8,000 for a new annual maximum of \$20,000 and amending the scope of work to include information technology services to grant remote access to the County's PeopleSoft systems by all of RCD staff.

**A-7803 (Amend. 1)**

P. Clerk of the Board and County Counsel request approval of recently amended conflict of interest codes for various local agencies.

Q. Director of Human Resources requests adoption of a resolution approving salary adjustments for PSE/PSE Supervisory Units and the unrepresented Management Non-classified Management and Confidential employees effective December 20, 2014.

**R-2014-153**

R. Director of Human Resources and Director of Health and Human Services request the adoption of a resolution amending the Departmental Allocation List for the Mental Health Division of the Health and Human Services Agency as follows, effective December 20, 2014, with no net increase in full-time equivalents and no net increase to the General Fund:

1. Delete one (1.0 FTE) Supervising Mental Health Counselor I - Licensed; and,
2. Add one (1.0 FTE) Supervising Mental Health Counselor II - Licensed.

**R-2014-154**

S. Director of Human Resources requests the following actions regarding certain benefit changes:

1. Adoption of a resolution amending the County Policy Manual Part I, Section 37C-1, Management Compensation Plan - Management Classified, Section 37C-2, Management Compensation Plan - Management Non-Classified, and Section 37C-3, Management Compensation Plan - Management Non Classified (Other), effective January 1, 2014, to revise the Disability Plans offered to management employees and reflect recently negotiated changes to vacation accruals; and  
2. Approval of and authorization for the Director of Human Resources to sign the required insurance documents with The Hartford for the revised Disability Plans afforded management employees to replace the current uninsured "Key Disability" program.

**R-2014-155**

**Correction memo provided stating effective date should read January 1, 2015.**

T. Director of Human Resources and Director of Corrections request adoption of a resolution granting Napa County Department of Corrections Custodial Officers the ability to perform certain additional duties within a Napa County detention facility.

**R-2014-156**

U. Director of Human Resources requests adoption of a resolution approving a Side Letter Agreement with the Deputy Sheriff's Association, Law Enforcement and Law Enforcement Supervisory Units (DSA) effective December 20, 2014, regarding Medical Insurance Contribution Rates .

**R-2014-157**

V. Director of Housing and Intergovernmental Affairs requests approval of and authorization for the Chairman to sign an agreement with Visit Napa Valley for the term July 1, 2014 through June 30, 2015, with an automatic renewal provision for up to 3 years, for destination marketing services for the County utilizing unincorporated county funds from the Napa Valley Tourism Improvement District.

**A-8249**

W. Second reading and adoption of an ordinance approving the Design Guidelines for the Napa Pipe Project. ENVIRONMENTAL DETERMINATION: A Final Environmental Impact Report (EIR) was prepared for the Napa Pipe Project and certified by the Board of Supervisors on January 14, 2013. An Initial Study/Addendum to the County's EIR was prepared by the City of Napa and adopted by the Napa City Council on July 22, 2014 concluding that the County's EIR was prepared by the City of Napa and adopted by the City of Napa City Council on July 22, 2014 concluding that the County's EIR for the Napa Pipe project adequately identified and analyzed the potential environmental effects of the City providing municipal services to and potential annexation of the Napa Pipe Project Site. Prior to taking action, the Board should adopt the attached resolution making CEQA findings which document the reasons why the County has determined that the EIR and Addendum provide coverage for the proposed action and that additional environmental review, in the form of a subsequent EIR is unnecessary prior to approval.

**Item removed for separate discussion. See Item 7.**

- X. Second reading and adoption of: 1) an ordinance approving the Development Agreement; and 2) an ordinance approving the Development Plan for the Napa Pipe Project associated with development of the following ("the Napa Pipe Project" or "the Project"): (1) 700 dwelling units (up to 945 units with State required density bonus); (2) a 150-unit continuing care retirement center for seniors; (3) 40,000 square feet of neighborhood serving retail uses; (4) 10,000 square feet of office; (5) a 150-room hotel with supporting uses; (6) a 154,000 square foot membership warehouse store (such as a Costco) with a gas station; (7) publicly accessible and privately-maintained parks and open space; (8) community facilities/farm; (9) publicly accessible and privately-maintained roads; and (10) infrastructure. The Napa Pipe Project is proposed on a 154 acre site located at 1025 Kaiser Road, Napa, approximately ¼ mile west of State Highway 121 and ¼ mile north of State Highway 29 (APN's: 046-400-030 & 046-412-005). The Napa River adjoins the west side of the site. The site is bisected by railroad tracks running north-south. ENVIRONMENTAL DETERMINATION: A Final Environmental Impact Report ("EIR") was prepared for the Napa Pipe Project and certified by the Board of Supervisors on January 14, 2013. An Initial Study/Addendum ("Addendum") to the County's EIR was prepared by the City of Napa and adopted by the City of Napa City Council on July 22, 2014, concluding that the County's EIR for the Napa Pipe Project adequately identified and analyzed the potential environmental effects of the City providing municipal services to and potential annexation of the Napa Pipe Project site. Prior to taking action to recommend Board of Supervisors adoption of ordinances and resolutions regarding the actions requested below, the Planning Commission has made recommended CEQA findings to document the reasons why the County has determined that the EIR and Addendum provide coverage for the proposed actions and that additional environmental review, in the form of a subsequent or supplemental EIR, is unnecessary prior to Board approval of the Development Agreement and Development Plan.

**O-1393 & O-1394**

**Item removed for separate discussion. See Item 7.**

- Y. Second reading and adoption of an ordinance to expand the radius from 300 ft. to 1,000 ft. for notice of public hearings before the Planning Commission or Zoning Administrator on discretionary land use applications by amending Sections 2.88.010 (Definitions), 2.88.050 (Appeal Packet - Information to be Submitted), 18.106.060 (Required Public and Private Notification), 18.119.220 (Telecommunication Facilities - Public Notice), 18.124.130 (Use Permit Modifications - Procedure - Size Limitation), 18.132.050 (Certificate of Present Extent of Legal Nonconformity - Application - Procedure), 18.136.040 (Public Hearing Before Commission - Notice). ENVIRONMENTAL DETERMINATION: General Rule. It can be seen with certainty that there is no possibility the proposed actions may have a significant effect on the environment and therefore CEQA is not applicable [See Guidelines For the Implementation of the California Environmental Quality Act, 14 CCR 15061(b)(3)].

**O-1395**

**Item removed for separate discussion. See Item 7.**

- Z. County Executive Officer requests eight (8) appointments to the Napa-Lake Workforce Investment Board (NLWIB) with the terms of office to commence

immediately and expire June 30, 2016 and one (1) move with the term of office to commence immediately and expire June 30, 2015 with Rhonda Slota moving from the At Large category to the seat representing Education/Adult Education Literacy/Post Secondary Vocational Education/Carl Perkins.

Applicants Representing Mark Bontrager (new applicant) Business Member Stephanie Cabral\*Older Americans/Title V Program Paul Castro\*Community Based Organization/Migrant-Seasonal Farmworker Michael Haley\*Business Member Steve Hixenbaugh (new applicant) Business Member Mark Leonardi\*Business Member Justin Real\*Business Member Rhonda Slota\*Education/Adult Ed Literacy/Post Secondary Voc Ed/Carl Perkins\*Incumbents

**Motion moved by Brad Wagenknecht, seconded by Keith Caldwell, to approve consent items as amended. Motion passed 4 - 0, with Brad Wagenknecht, Mark Luce, Diane Dillon, and Keith Caldwell voting yes / District 4 - vacant.**

7. DISCUSSION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

**Testimony presented.**

**Item 6W.**

**Motion moved by Brad Wagenknecht, seconded by Keith Caldwell, to continue Item 6W. to a future date. Motion passed 4 - 0, with Brad Wagenknecht, Mark Luce, Diane Dillon, and Keith Caldwell voting yes / District 4 -vacant.**

**Item 6X.**

**Motion moved by Brad Wagenknecht, seconded by Keith Caldwell, to approve Item 6X. Motion passed 4 - 0, with Brad Wagenknecht, Mark Luce, Diane Dillon, and Keith Caldwell voting yes / District 4 - vacant.**

**Item 6Y.**

**Motion moved by Keith Caldwell, seconded by Brad Wagenknecht, to approve Item 6Y. Motion passed 4 - 0, with Brad Wagenknecht, Mark Luce, Diane Dillon, and Keith Caldwell voting yes / District 4 - vacant.**

8. PUBLIC COMMENT

**Napa resident Gary Margadant thanked Public Works for tree trimming and striping on Mt Veeder Road.**

**Napa County resident Donald Williams commented on development in Napa County.**

**Angwin resident Kellie Anderson commented on vineyard development on Deer Park Road.**

9. SET MATTERS OR PUBLIC HEARINGS

A. **8:00 AM Board of Supervisors (BOS) - Closed Session (See Special 8:00 AM BOS Minutes)**

B. **9:00 AM Recess to the Board of Equalization special meeting (See BOE Minutes).**

C. **9:15 AM PUBLIC HEARING**

Director of Housing and Intergovernmental Affairs and Director of Planning, Building and Environmental Services requests that the Board of Supervisors hold a public

hearing and adopt a resolution to replace the existing Housing Element with the 2014 Housing Element and certifying that the Board has considered the 2014 Addendum to the 2009 Housing Element Final Environmental Impact Report and the Final Environmental Impact Report.

**R-2014-158**

**Director of Housing and Intergovernmental Affairs Larry Florin made presentation.**

**Opened public hearing.**

**Testimony presented.**

**Closed public hearing.**

**Motion moved by Brad Wagenknecht, seconded by Keith Caldwell, to approve adoption of resolution. Motion passed 4 - 0, with Brad Wagenknecht, Mark Luce, Diane Dillon, and Keith Caldwell voting yes / District 4 - vacant.**

D. 10:15 AM PUBLIC HEARING

Consideration and possible action regarding an appeal filed by Save Yountville Hill to a decision by the Planning Commission on July 2, 2014, to approve the Yountville Hill Winery/CS2 Wines, LLC application for a use permit and exception to the conservation regulations, a variance, and a viewshed application to establish a new winery with an annual production capacity of 100,000 gallons as follows: (1) construct two new winery buildings with approximately 14,019 sq. ft. of floor area, including a 1,208 sq. ft. reception building and a 12,811 sq. ft. winery, administration and visitor center building with 9,605 sq. ft. of unenclosed terraces; (2) construct approximately 35,588 sq. ft. of cave area, including a warming kitchen; (3) provide 37 on-site parking spaces; (4) establish a Marketing Plan with 48 events per year for a maximum of 50 guests at each event (half of the events will be scheduled to begin after 6:30 PM); six (6) events per year for a maximum of 100 guests at each event; two (2) events per year for a maximum of 200 guests at each event; and, two (2) wine auction events per year; (5) allow tours and tastings, which may include food paring, by appointment only for a maximum of 285 visitors per day with a maximum of 1,120 visitors per week (285 Sat/Sun; 110/day Mon-Fri); (6) establish hours of operation from 6 AM to 3 PM (production staff), 8 AM to 5 PM (administrative staff) and 9:30 AM to 6:30 PM (hospitality staff - visitation would occur between 10 AM and 6 PM); 7 days a week; (7) allow on-premise consumption of the wines produced on-site in the winery administration and visitor center building and terraces pursuant to the Evans Bill (AB2004); (8) employ up to 19 people; (9) install a new on-site winery process and domestic wastewater treatment system; and, (10) new landscaping, driveway improvements, four water storage tanks (10,500 gallons each), and signage. The proposal also includes an exception to the conservation regulations to grade/construct improvements on slopes exceeding 30%, a viewshed application to construct on slopes 15% or greater and visible from a viewshed designated roadway (State Route 29) and a variance to allow the lower cave portal and winery related activities on the pad in front of the cave to encroach into the approximately 275-feet into the 600-foot setback from State Route 29, winery buildings to encroach into the 300-foot setback from a private road, a staircase at the rear of the winery building to encroach 6-feet into a 20-foot rear yard and a non-habitable portion of the structure/landscaped terrace and stairs at the third or roof level to encroach 15-feet into the 20-foot rear yard. The project site is comprised of two parcels that will be combined. An existing 4,000 sq. ft. residence (former bed & breakfast) and garage, the existing driveway from State



Route 29 to the structures, and a cave will be removed as part of the proposal to facilitate construction of the winery, a new driveway, and associated improvements. The 10.9 acre project site is located on the east side of State Route 29 approximately ¼-mile south of the Yount Mill Road/State Route 29 intersection. APN's: 031-130-028 & 029. 7400 St. Helena Highway, Napa.

ENVIRONMENTAL DETERMINATION: CEQA does not apply to a project which the public agency rejects or disapproves. (14 California Code of Regulations Section 15270 (a).)  
(CONTINUED FROM OCTOBER 14 AND DECEMBER 2, 2014)

**Opened public hearing.**

**Planning, Building and Environmental Services Principal Planner Sean Trippi made presentation.**

**Attorney for the appellant Perl Perlmutter made presentation.**

**Attorney for the applicant Lester Hardy made presentation.**

**Director of Planning, Building and Environmental Services David Morrison made presentation.**

**Testimony presented.**

**Closed public hearing.**

**Motion moved by Keith Caldwell, seconded by Diane Dillon, to continue the public hearing to January 6, 2015. Vote nullified for lack of 3 affirmative votes, 2 - 2, with Diane Dillon and Keith Caldwell voting yes / Brad Wagenknecht and Mark Luce voting no / District 4 - vacant.**

**Motion moved by Brad Wagenknecht, seconded by Mark Luce, to approve requested actions as written in staff report. Motion passed 3 - 1, with Brad Wagenknecht, Mark Luce, and Keith Caldwell voting yes / Diane Dillon voting no / District 4 - vacant.**

E. 10:20 AM PUBLIC HEARING

Consideration and possible action regarding an appeal filed by Thomas Carey on behalf of Albert Giovannoni, Trustee of the Albert D. Giovannoni Trust, to a letter issued by the Napa County Department of Planning, Building and Environmental Services on August 22, 2014, regarding the status of a pending application filed by the appellant to rezone portions of the Napa Sea Ranch property from AW - Agricultural Watershed and RS - Residential Single to MC - Marine Commercial, located at 333 Cuttings Wharf Road, (P14-00019-RG) (Assessor's Parcel Nos. 047-261-007 & 047-261-009).

ENVIRONMENTAL DETERMINATION: The proposed action, conducting an appeal of a processing status letter regarding a pending rezoning application, is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.  
(CONTINUED FROM DECEMBER 9, 2014)

**Continued public hearing.**

**Deputy Director of Planning, Building and Environmental Services John McDowell made presentation.**

**Attorney for the appellant Thomas Carey made presentation.**

**Testimony presented.**

**Held discussion.  
Closed public hearing.**

**Motion moved by Diane Dillon, seconded by Keith Caldwell, to adopt a motion of intent to tentatively deny the appeal and to refer the matter to County Counsel for preparation of a resolution of findings of fact and decision on appeal to March 17, 2015 at 9:00 a.m. Motion passed 4 - 0, with Brad Wagenknecht, Mark Luce, Diane Dillon, and Keith Caldwell voting yes / District 4 - vacant.**

- F. 1:30 PM Recess to the Napa County Flood Control and Water Conservation District (NCFCWCD) special meeting (**See NCFCWCD Minutes**).

10. ADMINISTRATIVE ITEMS

Community Resources & Infrastructure

- A. Director of Planning, Building, and Environmental Services requests approval of and authorization to enter into a grant agreement with the Bay Area Air Quality Management District for an amount of \$50,000 to establish a Fireplace Replacement Incentive Program.

**Director of Planning, Building and Environmental Services David Morrison made presentation.**

**Testimony presented.**

**Motion moved by Keith Caldwell, seconded by Diane Dillon, to approve requested action. Motion passed 4 - 0, with Brad Wagenknecht, Mark Luce, Diane Dillon, and Keith Caldwell voting yes / District 4 - vacant.**

- B. Director of Public Works requests the following actions regarding the South Napa County Earthquake which may be ordered by the County Executive Officer or Director of Public Works:
1. Receive and review report of emergency public work actions in response to the event without competitive bidding as authorized by Public Contract Code Section 22050(b) and Board of Supervisors Resolution No. 2014-103; and
  2. Determine the need to continue, or alternatively terminate, each emergency public work action so ordered. (4/5 Vote Required)

**Director of Public Works Steve Lederer presented report.**

General Admin & Finance

- C. Director of Housing and Intergovernmental Affairs requests approval of and authorization for the Chairman to sign the following agreements with the City of Napa related to the Napa Pipe Project:
1. A Sphere of Influence Agreement that establishes the development standards, and planning and zoning requirements for the property, as a part of the City's Sphere of Influence (SOI) expansion application to LAFCO.
  2. A Third Party Agreement that allows the County, if so desired, to contract with a third party consultant mutually agreeable to both the City and County for processing of ministerial approvals, such as plan reviews and inspections.

3. A Tax and Revenue Sharing Agreement governing the tax and revenue sharing for the property.
4. A Regional Housing Needs Assessment (RHNA) Agreement stating that the County will identify the Napa Pipe property in its 2014-2022 Housing Element and shall issue residential building permits during the 2014-2022 Housing Element cycle, and receive RHNA credit for units permitted on the property while residential portions of the property remain in the County's jurisdiction
5. A Municipal Services Agreement that establishes a process for providing municipal services to the site.

ENVIRONMENTAL DETERMINATION: A Final Environmental Impact Report ("EIR") was prepared for the Napa Pipe Project and certified by the Board of Supervisors on January 14, 2013. An Initial Study/Addendum ("Addendum") to the County's EIR was prepared by the City of Napa and adopted by the City of Napa City Council on July 22, 2014, concluding that the County's EIR for the Napa Pipe Project adequately identified and analyzed the potential environmental effects of the City providing municipal services to and potential annexation of the Napa Pipe Project site. Prior to taking action to recommend Board of Supervisors adoption of ordinances and resolutions regarding the actions requested below, the Planning Commission has made recommended CEQA findings to document the reasons why the County has determined that the EIR and Addendum provide coverage for the proposed actions and that additional environmental review, in the form of a subsequent or supplemental EIR, is unnecessary prior to Board approval of the Development Agreement and Development Plan.

(CONTINUED FROM NOVEMBER 25, 2014; STAFF REQUESTS CONTINUANCE TO JANUARY 6, 2015)

**Motion moved by Brad Wagenknecht, seconded by Diane Dillon, to continue the item to January 6, 2015. Motion passed 4 - 0, with Brad Wagenknecht, Mark Luce, Diane Dillon, and Keith Caldwell voting yes / District 4 - vacant.**

- D. County Executive Officer requests one (1) appointment to serve on the Napa County Fair Association Board of Directors representing Napa County with the term of office to commence January 1, 2015 and expire December 31, 2017.

Applicants (Choose One)

Robert A. Fiddaman (resides District 3)  
 Larry Howard Glenn (resides District 2)  
 Kyrsta Scully (resides District 3)

**Motion moved by Diane Dillon, seconded by Brad Wagenknecht, to appoint Robert A. Fiddaman. Motion passed 4 - 0, with Brad Wagenknecht, Mark Luce, Diane Dillon, and Keith Caldwell voting yes / District 4 - vacant.**

- E. County Executive Officer requests consideration and appointment of District 3 Supervisor Diane Dillon's nomination from one of the following applicants to the Napa County Planning Commission with the term of office to commence December 18, 2014 and run coterminous with the term of Supervisor Dillon (December 2018).

Applicants:

Rodolfo Perez Arroyo  
 Anne L. Cottrell

**Motion moved by Diane Dillon, seconded by Keith Caldwell, to appoint Anne L. Cottrell. Motion passed 4 - 0, with Brad Wagenknecht, Mark Luce, Diane Dillon, and Keith Caldwell voting yes / District 4 - vacant.**

11. LEGISLATIVE ITEMS

- A. Director of Housing and Intergovernmental Affairs, on behalf of the Board of Supervisors' Legislative Subcommittee, requests discussion and approval of the 2015 Napa County Legislative/Regulatory Platform.

**Motion moved by Diane Dillon, seconded by Brad Wagenknecht, to approve the 2015 Napa County Legislative/Regulatory Platform. Motion passed 4 - 0, with Brad Wagenknecht, Mark Luce, Diane Dillon, and Keith Caldwell voting yes / District 4 - vacant.**

12. BOARD OF SUPERVISORS COMMITTEE REPORTS AND ANNOUNCEMENTS

**Supervisor Brad Wagenknecht reported on last Friday's Live Healthy Napa County meeting.**

**Supervisor Keith Caldwell reported on his attendance at:**

- 1. Two Marin Clean Energy meetings; and**
- 2. Association of Bay Area Governments (ABAG) San Francisco Bay Restoration Authority meeting.**

**Chairman Mark Luce reported on his attendance at an Association of Bay Area Governments (ABAG) and a Metropolitan Transportation Commission (MTC) meeting regarding Planned Bay Area.**

13. BOARD OF SUPERVISORS FUTURE AGENDA ITEMS

**Supervisor Diane Dillon requested staff return with a list of outstanding future agenda items for Board review and requested revising the appeals process.**

14. COUNTY EXECUTIVE OFFICER REPORTS AND ANNOUNCEMENTS

**County Executive Officer Nancy Watt commented on the future agenda items review process.**

15. CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9(d)(1))

Name of case: State of California, et al., ex rel, David Sherwin v Office Depot, Inc. Los Angeles Superior Court Case No. BC410135

**Closed session held. No reportable action.**

- B. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8)

Property: 2751 Napa Valley Corporate Drive, Napa  
Agency Negotiator: Steve Lederer, Director of Public Works and Larry Florin,

Director of Housing and Intergovernmental Affairs  
Negotiating Parties: George Condon, Sponsor Properties  
Under Negotiation:  Price  Terms of Payment

**Closed session held. No reportable action.**

16. ADJOURNMENT

**Adjourned to the Board of Supervisors regular meeting Tuesday, January 6, 2015 at 9:00 a.m.**

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MARK LUCE, Chairman

ATTEST:

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GLADYS I. COIL, Clerk of the Board